MYSORE LEGISLATIVE ASSEMBLY

Tuesday, 25th July 1967

The House met in the Assembly Chamber, Vidhana Soudha, Bangalore, at Nine of the Clock.

MR. SPEAKER (SRI B. VAIKUNTA BALIGA, B.A., B.L.) in the Chair.

MYSORE LEGISLATURE SALARIES (AMENDMENT) BILL, 1967

Leave to introduce

MR. SPEAKER.—Mr. Siddaiah Kashimath to move for leave to introduce the Mysore Legislature Salaries (Amendment) Bill, 1967.

SRI H. SIDDAVEERAPPA (Harihar).—I rise to a point of Order, Sir.

†SRI K. H. RANGANATH (Mudigere).—I want to know whether the Hon'ble Member Sri Siddaiah Kashimath had annexed the sanction of the Governor while giving notice of the Bill because in the Bill that is given to us I do not find it. Under Rule 65 (2), a clear notice of 15 days is required; I shall read it. It is as follows:

> "The period of notice of a motion for leave to introduce a Bill under this rule shall be fifteen clear days unless the Speaker allows the motion to be made at shorter notice."

Further, Rule 67 is as follows:—

> "If the Bill is a Bill which under the Constitution cannot be introduced without the previous sanction or recommendation of the Governor, the member shall annex to the notice such sanction or recommendation conveyed through a Minister, and the notice shall not be valid until this requirement is complied with."

In fact, I am not in a position to know when he gave notice of this Bill. He has not also annexed the recommendation of the Governor under Rule 67, to the proposed Bill. Therefore, the Bill is not in order. That is my point.

SRI L. SRIKANTIAH (Nanjangud).—I rise to another point of order.

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†Indicates that the remarks or speeches have not been revised by the member concerned.

Mr. SPEAKER.—Another point of order ?

Sri L. SRIKANTIAH.—Yes. I wish to draw the attention of the Hon'ble Chair to the relevant provisions of the Constitution.

Mr. SPEAKER.—So, it is a new point of order. ...Order, order. When a point of order has been raised, I will try to understand that point of order first. If there is a new point of order, that will arise for consideration later.

Sri H. SIDDAVEERAPPA.—In order to substantiate the point of order raised first, the other Members may require an opportunity. No Member can be debarred from substantiating that point of order that has already been raised or raising another point of order. Of course, I have got a different point of order. Merely because it is a point of order, other members cannot be excluded from participating in its discussion.

(*A number of members stood up*)

Mr. SPEAKER.—I will hear everybody. Let there not be an impression that I am not giving a hearing. What I am trying to ascertain is : whether it is the only Point of Order or there are multiples of it. The only thing is that everything has to be done methodically. If it is another point of order, I will have to deal with it subsequently. The only question is that the subsequent points of order have to wait until this point of order already raised is disposed of. Otherwise, what happens is, there will be confusion ; there will be collision.

Sri L. SRIKANTIAH.—The Hon'ble Member Sri Ranganath put his point of order from one angle. We want to view the proposed Bill from another angle.

Mr. SPEAKER.—Sri Srikantiah will kindly have patience and resume his seat. These surcharged minds are not good for Debate. So far as the point of order is concerned, if everybody thinks that he should be allowed to put his point of view, there is no end. Under what procedure everybody has to make a point of order ?

Sri H. SIDDAVEERAPPA.—For the purpose of supplementing it, the Members want to speak. The rights of the Members in this behalf should not be curbed.

Sri K. H. PATIL (Gadag).—I rise to a point of order.

Mr. SPEAKER.—Does the member want to ignore rules ? He may kindly resume his seat.

Sri M. S. KRISHNAN (Malleswaram).—When a point of order has been raised, the other members want to substantiate it. Just because it may not be a different point of order, the other members should not be denied an opportunity. They may also be heard before a ruling is given by you.

Mr. SPEAKER.—Mr. Krishnan, will please have patience and resume his seat. If there is any impression prevailing that I will not give him an opportunity, it is better it is disabused. I will tell him one thing specifically. I am going to deal with everything but I will not allow anything to happen unless it is properly done, whatever it is. I notice today something which I do not normally find. Therefore, I will take note of everything. But the Members think that they can get up whenever they like and they are shut out. It is something extraordinary.

Sri K. H. PATIL.—I want to...

Mr. SPEAKER.—Order, order. When I am addressing, the member should have the patience to hear me. If he thinks that he has got a point of order and if I shut him out, I can understand his indignation. If Sri Krishnan thinks that he has got a point of order, I can very well understand. I want to make my position very clear. I want Sri Siddaveerappa to tell me how, as a matter of right, each member is entitled to be heard. If I feel any doubt, I will ask him. If I allow one person, all Members may get up. If it is a matter of right, I have to allow every member to speak. It is a right vested in everybody. Can I say : I will allow Sri Siddaveerappa, Sri Jwalaniah, and Sri Gopala Gowda and shut out from debate, Sri Srikantiah and others ? If it is a right, it is a right for everybody. Mr. Siddaveerappa, will kindly tell me how there is a right to say that every one must be heard by the House or the Speaker on a Point of Order.

Sri H. SIDDAVEERAPPA.—Everybody has the right to be heard.

Mr. SPEAKER.—Under which rule or convention or fundamental right ?

Sri H. SIDDAVEERAPPA.—I am telling that as a matter of right, every Member of this august House has to be heard on any Point that comes up here for discussion. Otherwise, let me be shown any rule which says that on a point of order, only the gentleman who raises the Point of Order will be heard and none else. I am saying this because this is a matter on which the entire House is very much exercised. Therefore, in order to make our position clear, we may be heard.

Mr. SPEAKER.—If it is the right of every Member to be heard, I have to hear all the 216 Members and then give a ruling. In that case, no work will be done in any House, much less in this House.

Sri H. SIDDAVEERAPPA.—I am not so, shall I say, stupid as to insist on that.

Mr. SPEAKER.—Did I say 'stupid'?

Sri H. SIDDAVEERAPPA.—You did not say. I myself am presuming.....

Mr. SPEAKER.—Don't put into my mind a word which I never had. I have got better respect.

Sri H. SIDDAVEERAPPA.—I can only say this much: I do not mean to say that all the 216 must be heard. Whoever wants to be heard shall be heard.

Mr. SPEAKER.—If 216 want to be heard, then 216 have to be heard. According to this interpretation, everybody chooses to speak, I have to respect it. Then I will have to ask everybody on a point of order whether he has to say anything.

Sri H. SIDDAVEERAPPA.—It will not be absurd as that. Any proposition or suggestion I make, I make with a little experience of parliamentary affairs and I say it because according to the procedure that is followed even in Parliament, whenever a point of order is raised, all members who wish to be heard or who want to have a say in the matter are always given ears.

Mr. SPEAKER.—Are all members who wish to say always heard on a point of order ?

Sri H. SIDDAVEERAPPA.—I have at least seen that the only gentleman who raises the point of order is not the gentleman who speaks. Others are not excluded.

Mr. SPEAKER.—It is too general to say that others are not excluded.

Sri H. SIDDAVEERAPPA.—Any point of order that is raised is not the exclusive right of the Member who raises it. Supposing on a point of order raised by my friend I disagree with him, I have a right to say there is no point of order. I request you to consider my point of view.

Mr. SPEAKER.—Now I find that a very fine point of order has been raised.

Sri K. H. PATIL.—Before giving the ruling, I may be given an opportunity to speak because my right is affected by your ruling.

Mr. SPEAKER.—I am not giving the ruling.

Sri S. S. SHETTAR (Hubli).—I am opposing the point of order.

Mr. SPEAKER.—Members will not have the patience to hear. It is rather surprising if the Speaker is not allowed to make his mind clear so that work may be co-ordinated. Then nothing will be possible. I am saying that the matter has been made more interesting with regard to the procedure to be followed on a point of order by Sri. Siddaveerappa with his experience as he draws upon that it is usual to hear all persons who wish to express themseles on a point of order. It is a very interesting position which I will study and I will give my ruling later. Until the ruling is given this item cannot be taken up. I will pass on to next item.

Sri M. S. KRISHNAN.—May I invite your kind attention to Rule 317 which says that no debate shall be allowed on a point of order but the Speaker may if he thinks fit hear members?

Mr. SPEAKER.—I was not unaware of it. Whose right is there? The right is mine to say. I would like to hear Mr. Siddaveerappa, the most experienced parliamentarian, Hon'ble Mr. Kanthi who has a most matured mind on parliamentary practice and certainly Mr K. H. Patil. Unless I give a ruling this cannot be taken up.

Sri S. S. SHETTAR.—I wanted to submit in respect of the point of order the other view how it is not a new Bill, but it is only an amendment to the Bill. So, on the question of amendment to a Bill, all these rules will not apply.

Mr. SPEAKER.—Minds must not get surcharged before coming to the House. Minds must always be open and smiling and very happy.

Sri M. S. KRISHNAN.—When conspiracy goes on, naturally minds get surcharged.

Mr. SPEAKER.—I have to analyse it. After analysing I will give priority enabling most minds surcharged to get less surcharged.

Next item, namely, calling attention to a matter of urgent public importance given notice by three members.

Sri K. H. PATIL.—There is another point of order. If your honour is convinced, the matter will be over. I bring to your kind notice that under article 207 of the Constitution, such Bill cannot be placed before the House.

Mr. SPEAKER.—The Members should clearly understand things. Does he know when a point of order is to be raised? The point of order must relate to the matter before the House. Does his point of order relate to Calling Attention notice? Members are consuming time purposelessly.

CALLING ATTENTION TO A MATIER OF URGENT PUBLIC IMPORTANCE *re*: COLLAPSE OF BRIDGES ON SAGAR-KOGAR TUMRI ROAD.

Sri K. H. SRINIVASA (Sagar).—I wish to call the attention of the Minister for Public Works to the complete collapse of bridges on Sagar-Kogar Tumri Road.

Sri VEERENDRA PATIL (Minister for Public Works).—The details of this case are as follows.—

Kogaru-Tumri Deviation Road including C. D. Works, was constructed by the Sharavathy Valley Project Authorities in the year 1963